

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 08 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 23 1976 under 30693

The applicant **Western States Geothermal Company**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit 46071 (app) Application for Permit to Appropriate the Public Waters of the State of Nevada**

1. The source of water is **Underground (Geothermal)**
2. The amount of water to be changed **(724.00 AFA) 5.0 CFS**
3. The water to be used for **(Electrical Generation) Industrial & Domestic**
4. The water heretofore permitted for **Industrial & Domestic**
5. The water is to be diverted at the following point **SW4 SE4 Sect 21 T22N R27E, MDB&M., or at a point from which the SE corner said Section 21 bears S. 59°30' E., 1540 ft.**
6. The existing permitted point of diversion is located within **NW¼ NW¼ Section 22 T22N R27E bearing S 46°52' E 1199.5' from NW section corner Section 22 T22N R27E, MDB&M**
7. Proposed place of use **Well 21-1, Desert Peak Geothermal Power Plant, Sections 21 and Sec 22 T22N R27E, MDB&M Churchill County, Nevada**
8. Existing place of use **Unchanged**
9. Use will be from **1/1 to 12/31** of each year.
10. Use was permitted from **1/1 to 12/31** of each year.
11. Description of proposed works **Existing well 21-1 will be placed into service.**
12. Estimated cost of works **Piping cost \$100,000**
13. Estimated time required to construct works **Well is complete & ready for use**
14. Estimated time required to complete the application of water to beneficial use **immediately**
15. Remarks: **The Desert Peak Power plant will use the geothermal water to generate electricity for sale to Sierra Pacific Power. The plant is a flash plant w/cooling tower and approximately 10% or more consumptive use. Please use map filed under 30693. Please use map under 46070 for existing POD & POU.**

By **Christy L. Morris**
s/Christy L. Morris s/Christy L. Morris
980 Greg St
Sparks NV 89431

Compared cmf/sam d1/g1

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This geothermal permit to change the point of diversion of the waters of an underground geothermal source heretofore granted under Permit 46071 is issued subject to the terms and conditions imposed in said Permit 46071.

This geothermal permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this geothermal permit will depend upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease in reservoir pressure and heat. The well shall be constructed and maintained to prevent any waste of the geothermal fluid above or below the surface. The producing well discharge shall be closely monitored and recorded. The amounts of fluid injected back to the reservoir shall also be monitored and recorded to determine the total annual diversion and consumption for beneficial use.

The annulus of any well drilled under this geothermal permit is to be cemented from the top of the producing or injection interval to surface to prevent waste and to prevent any communication with fresh ground water. Only geothermal waters are to be diverted under this geothermal permit and the cooled geothermal fluids are to be returned to the source via the injection well.

This geothermal permit does not relieve the operator of the requirements of any other state, local or federal agency. This geothermal permit does not extend the permittee the right of ingress or egress on public or private lands.

An annual report that documents the amounts of fluids produced, injected and/or consumed shall be filed under this geothermal permit not later than January 31 of the year following the reporting year. Any exploration and subsurface information obtained as a result of this project shall be kept confidential pursuant to Chapter 534A.031 of the Nevada Revised Statutes (NRS).

The total withdrawal of geothermal fluid under this geothermal permit shall be limited to 3620 acre-feet per year. This appropriation permit allows for a total consumptive use of the geothermal fluid that shall not exceed 20% of the amount produced annually. The State Engineer reserves the right to make findings regarding the consumptive use of the geothermal fluid under this geothermal permit and impose additional conditions thereto.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second,

Work must be prosecuted with reasonable diligence and be completed on or before:

February 9, 2006

Proof of completion of work shall be filed on or before:

March 9, 2006

Water must be placed to beneficial use on or before:

February 9, 2009

Proof of the application of water to beneficial use shall be filed on or before:

March 9, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 9th day of February, A.D. 2005



State Engineer

Completion of work filed NOV 24 2004

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____